

03-29-00

CPA
GP3635

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CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.
(Only for Continuation or Divisional applications under 37 C.F.R. § 1.53(d))

CHECK BOX, if applicable:

☐ DUPLICATE

Assistant Commissioner for Patents Box CPA Washington, DC 20231	Attorney Docket No. of Prior Application	SST/816
	First Named Inventor	Alfred D. Commins
	Examiner Name	C. Kent
	Group / Art Unit	3635
	Express Mail Label No.	EL516386515

This is a request for a ☒ continuation or ☐ divisional application under 37 C.F.R. § 1.53(d).
(continued prosecution application (CPA)) of prior application number 08 / 975,940
filed on 11-21-97, entitled Building Wall for Resisting Lateral Forces

Inventors: Commins, Leek, Linn, **NOTES**
Gregg & Colonias

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

CONTINUATION-IN-PART NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. § 1.78(e).

- ☐ Enter the unentered amendment previously filed on _____ under 37 C.F.R. § 1.116 in the prior nonprovisional application.
- ☐ A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).
 - ☐ DELETE the following inventor(s) named in the prior nonprovisional application:

 - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed:
 - ☒ PTO-1449
 - ☒ Copies of IDS Citations

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

(Continued Prosecution Application (CPA) Request Transmittal (PTO/SB/29)) [4-2.1]—page 1 of 2

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 C.F.R. § 1.16(c) or (j))	11	-20* =	0	x \$ 0 =	\$ 0
INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b) or (i))	8	-3** =	5	x \$ 78 =	390.00
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))				+ \$ _____ =	
				BASIC FEE (37 C.F.R. § 1.16)	690.00
				Total of above Calculations =	1080.00
Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27 & 1.28).					
* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.				TOTAL =	1080.00

6. Small entity status:

- a. ☐ A small entity statement is enclosed, if (b) and (c) do not apply.
b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
c. ☐ Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 03 - 4075:

- a. ☒ Fees required under 37 C.F.R. § 1.16.
b. ☒ Fees required under 37 C.F.R. § 1.17.
c. ☒ Fees required under 37 C.F.R. § 1.18.

8. ☒ A check in the amount of \$ 1080.00 is enclosed. ck. no. 5623

9. ☐ New Attorney Docket Number, if desired _____

(Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)

10 a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)

b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)

11. ☐ Other: _____

NOTE:

The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

12. NEW CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

498

or ☐ New correspondence address below

(Insert Customer No. or Attach bar code label here)

Name	Charles R. Cypher				
Address	405 14th Street, Suite 1607				
City	Oakland,	State	CA	Zip Code	94612
Country	USA	Telephone	510-832-4111	Fax	510-832-4115

13. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)

Charles R. Cypher

Signature

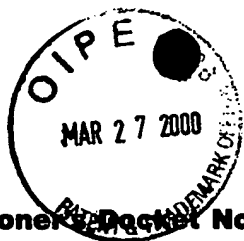
Charles R. Cypher

Registration No. (Attorney/Agent)

41694

Date

March 27, 2000



Practitioner's ~~Receipt~~ No. SST/816

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Commins, Leek, Linn, Gregg & Colonias
Application No.: 0 8 / 975,940 Group No.: 3635
Filed: November 21, 1997 Examiner: C. Kent
For: Building Wall for Resisting Lateral Forces

Assistant Commissioner for Patents
Washington, D.C. 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" label number EL516386515

Date of Deposit March 27, 2000

I hereby state that the following *attached* paper or fee

CPA Transmittal 2p. ck.no. 5623 (duplicate) *cc*
IDS, w/ref. 3,612,291 *cc* 4,366,659 *cc* 4,435,932 *cc* 4,441,289 *cc*
26 5,218,803 *cc* 5,657,606 *cc* 6,018,917 *cc* 6,006,487 *cc*
Australia PN: 228,186 *cc* Japanese PN: 3-208936 *cc*

RRC

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10, on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Charles R. Cypher

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Charles R. Cypher

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(Express Mail Certificate [8-3])